# House File 711 - Introduced

HOUSE FILE 711
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 228)

## A BILL FOR

- 1 An Act establishing a length of service award program for
- 2 volunteer fire fighters, concerning income tax deductions
- 3 for volunteer fire fighters, making an appropriation, and
- 4 including effective date provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. Section 100B.2, Code 2019, is amended by adding 2 the following new subsection:
- 3 NEW SUBSECTION. 9. Establish a length of service
- 4 award program for volunteer fire fighters pursuant to the
- 5 requirements of section 100B.41.
- 6 Sec. 2. <u>NEW SECTION</u>. 100B.41 Length of service award
- 7 program appropriation.
- The state fire service and emergency response council,
- 9 in consultation with the department of administrative services
- 10 and the office of the treasurer of state, shall establish a
- 11 length of service award program for volunteer fire fighters as
- 12 defined in section 85.61. The program shall provide length
- 13 of service awards, as described in section 457(e)(11) of the
- 14 Internal Revenue Code, to volunteer fire fighters of a fire
- 15 department of a municipality, township, or benefited fire
- 16 district that elects to participate in the program. A decision
- 17 by a volunteer fire fighter to participate in the program is
- 18 irrevocable upon acceptance by the program and participation
- 19 in the program shall be in lieu of an election to deduct from
- 20 computed tax under section 422.12 a volunteer fire fighter
- 21 credit. The program shall be designed to treat awards from the
- 22 program as a tax-deferred benefit under the Internal Revenue
- 23 Code. The council shall develop and submit to the state fire
- 24 marshal for adoption rules providing for minimum contribution
- 25 requirements, eligibility requirements for participation by
- 26 volunteer fire fighters, minimum vesting requirements, and such
- 27 other rules as deemed necessary to operate the program.
- 28 2. There is appropriated from the general fund of the state
- 29 to the state fire service and emergency response council each
- 30 fiscal year an amount equal to one hundred dollars for each
- 31 volunteer fire fighter participating in the length of service
- 32 award program during that fiscal year for purposes of the
- 33 program.
- 34 Sec. 3. Section 422.12, subsection 1, paragraph b, Code
- 35 2019, is amended to read as follows:

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- 1 b. "Emergency medical services personnel member" means an
- 2 emergency medical care provider, as defined in section 147A.1,
- 3 who is certified as a first responder pursuant to chapter 147A
- 4 and who is not a participant in a length of service award
- 5 program established pursuant to section 100B.41 during the tax
- 6 year.
- 7 Sec. 4. Section 422.12, subsection 1, paragraph f,
- 8 unnumbered paragraph 1, Code 2019, is amended to read as
- 9 follows:
- "Volunteer fire fighter" means an individual that meets both
- 11 all of the following requirements:
- 12 Sec. 5. Section 422.12, subsection 1, paragraph f, Code
- 13 2019, is amended by adding the following new subparagraph:
- 14 NEW SUBPARAGRAPH. (3) The individual is not a participant
- 15 in a length of service award program established pursuant to
- 16 section 100B.41 during the tax year.
- 17 Sec. 6. EFFECTIVE DATE. This Act takes effect January 1,
- 18 2020.
- 19 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 22 This bill requires the state fire service and emergency
- 23 response council, in consultation with the department of
- 24 administrative services and the treasurer of state, to
- 25 establish a length of service award program for volunteer fire
- 26 fighters. The program shall provide for a minimum contribution
- 27 to the plan from a participating municipality, township, or
- 28 benefited fire district, but participation in the plan by
- 29 such an entity is optional. A decision by a volunteer fire
- 30 fighter to participate in the program shall be irrevocable upon
- 31 acceptance in the program and participation in the program
- 32 shall be in lieu of the volunteer fire fighter tax credit. The
- 33 council is also required to develop rules for adoption by the
- 34 state fire marshal governing minimum contribution requirements,
- 35 eligibility requirements for participation by volunteer fire

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- 1 fighters, and such other rules as deemed necessary to operate
- 2 the program. The bill provides for an appropriation from the
- 3 general fund to the state fire service and emergency response
- 4 council of an amount equal to \$100 each fiscal year for each
- 5 volunteer fire fighter participating in the program.
- 6 Code section 422.12, concerning deductions from income tax,
- 7 is amended to eliminate the volunteer fire fighter tax credit
- 8 equal to \$100 for a volunteer fire fighter or emergency medical
- 9 services personnel member who is a participant in the length of
- 10 service award program during the tax year.
- 11 The bill takes effect January 1, 2020.